

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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CITIZENS UNITED TO PROTECT OUR  
NEIGHBORHOODS; HILDA KOGUT;  
ROBERT ASSELBERGS; and CAROLE  
GOODMAN,

Plaintiffs,

-against-

19 CIVIL 3461 (NSR)

**JUDGMENT**

VILLAGE OF CHESTNUT RIDGE, NEW YORK,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion & Order dated September 30, 2022, Defendant's motion to dismiss is GRANTED and Proposed Intervenor's Motion to Intervene is DENIED as moot. Plaintiffs' Complaint is DISMISSED without prejudice for lack of subject matter jurisdiction. The Second Circuit has made clear that "where a case is dismissed for lack of Article III standing, as here, that disposition cannot be entered with prejudice, and instead must be dismissed without prejudice." *Katz v. Donna Karan Co., L.L.C.*, 872 F.3d 114, 121 (2d Cir. 2017) (emphasis in original). Judgment is entered in favor of Defendant Village of Chestnut Ridge, New York, without prejudice.

**Dated:** New York, New York

September 30, 2022

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**